

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JOEY ADAMS,

Plaintiff,

No. 5:13-CV-0745

-v-

JONATHAN BACK,

Defendant.

APPEARANCES:

OF COUNSEL:

JOEY ADAMS
Plaintiff pro se
7607 Fountain Avenue, #3
Los Angeles, CA 90046

DAVID N. HURD
United States District Judge

DECISION and ORDER

Pro se plaintiff Joey Adams brought this action asserting state law breach of contract and fraud claims against defendant Jonathan Back. On September 17, 2013, the Honorable David E. Peebles, United States Magistrate Judge, advised by Report-Recommendation that plaintiff's complaint be dismissed for lack of subject matter jurisdiction and that plaintiff be granted leave to file an amended complaint. No objections to the Report-Recommendation were filed.

Based upon a careful review of the entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

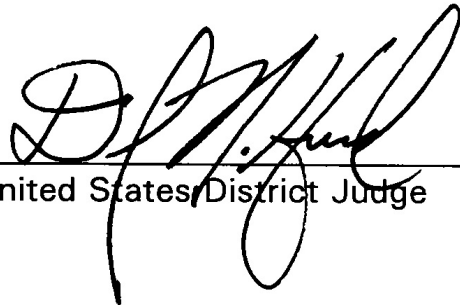
Therefore it is

ORDERED that

Plaintiff's complaint is DISMISSED for lack of subject matter jurisdiction unless, within thirty (30) days of the date of this Decision and Order, plaintiff files an amended complaint satisfying the jurisdictional requirements identified in the Report-Recommendation.

The Clerk is directed to serve a copy of this Decision and Order upon the parties in accordance with the Local Rules.

IT IS SO ORDERED.



United States District Judge

Dated: October 18, 2013
Utica, New York.